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09/858,427	05/16/2001	Donald R. Ryan	D/A0477Q1	3478

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EXAMINER	
HUNTSINGER, PETER K	
ART UNIT	**PAPER NUMBER**
2624	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/858,427	RYAN, DONALD R.	
	Examiner	Art Unit	
	Peter K. Huntsinger	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-33 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-33 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 16 May 2001 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4/16/02, 3/18/04, 5/19/03, 8/5/02, 8/13/01
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. Claim 18 is objected to because of the following informalities: The word "be" should be inserted into the third line of claim 18 and say, identifying finishing devices to be used during a portion of the finishing job. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-15, 19, and 22-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Allen et al. U.S. Patent 6,549,299.

Referring to claim 1, Allen et al. disclose In a finishing system having at least one finishing device that is controlled separately from production equipment and that is to be

used during a finishing job, a method for a finishing job coordinator, comprising: a) receiving finishing job description information, including identification of job segments of the job (computer-readable instruction sheet 30, col. 3, lines 18-21); and b) communicating programming data for programming at least one finishing device for implementation of the finishing job (computer-readable instruction sheet 30, col. 3, lines 18-21).

Referring to claim 2, Allen et al. disclose the method of claim 1, wherein the step of communicating comprises communicating to human operators for human programming the finishing device (col. 3, lines 28-33, 62-67).

Referring to claim 3, Allen et al. disclose the method of claim 1, wherein the step of communicating comprises automatically programming the finishing device (col. 4, lines 28-35).

Referring to claim 4, Allen et al. disclose the method of claim 1, wherein the step of communicating comprises identifying the input locations to the finishing device in which the job segments are to be placed (arrows 36 of Fig. 2, col. 4, lines 13-18).

Referring to claim 5, Allen et al. disclose the method of claim 1, wherein the step of receiving comprises receiving a job segment identifier for at least one job segment (col. 3, lines 58-61).

Referring to claim 6, Allen et al. disclose the method of claim 5, further comprising using the job segment identifier to retrieve finishing job information relating to the job segment from a data source wherein a finishing job model pertaining to the finishing job is stored (col. 4, lines 54-61).

Referring to claim 7, Allen et al. disclose the method of claim 6, further comprising using the job segment identifier to retrieve finishing job information for all job segments of the finishing job (col. 4, lines 54-61).

Referring to claim 8, Allen et al. disclose the method of claim 6, further comprising extracting status information relating to a plurality of job segments identified in the job model (col. 4, lines 54-61).

Referring to claim 9, Allen et al. disclose the method of claim 8, further comprising notifying an operator if at least one job segment is not in a status ready for finishing (col. 5, lines 5-14).

Referring to claim 10, Allen et al. disclose the method of claim 5, wherein the step of receiving further comprises receiving the job segment identifier from a virtual finishing job ticket reader (sensor 44 of Fig. 3, col. 4, lines 28-31).

Referring to claim 11, Allen et al. disclose the method of claim 5, wherein the step of receiving further comprises receiving a job segment identifier entered by a human operator (col. 3, lines 28-33, 62-67).

Referring to claim 12, Allen et al. disclose the method of claim 1, wherein the step of receiving finishing job description further comprises receiving information identifying at least one finishing device to be used in performance of the finishing job (col. 3, lines 35-37).

Referring to claim 13, Allen et al. disclose the method of claim 12, further comprising determining whether the identified finishing device is available for performance of the finishing job (col. 5, lines 51-60).

Referring to claim 14, Allen et al. disclose the method of claim 13, further comprising, in response to determining that the identified device is not currently available, communicating issuing commands to program the availability of the identified device (col. 5-6, lines 61-67, 1-3).

Referring to claim 15, Allen et al. disclose the method of claim 13, further comprising, in response to determining that the identified device is not currently available, notifying human operators that the identified device is not available (col. 5, lines 5-14).

Referring to claim 19, Allen et al. disclose the method of claim 1, wherein the step of communicating further comprises communicating programming information for device configuration attributes (col. 4, lines 54-61).

Referring to claim 22, Allen et al. disclose the method of claim 1, further comprising: a) receiving data that job segments of the job have been placed in at least one input location of the finishing device (col. 4, lines 13-21); and b) after receiving data that the job segments have been placed in such input location, issuing instructions for the commencement of operation by the finishing device (col. 4, lines 22-31).

Referring to claim 23, Allen et al. disclose the method of claim 1, further comprising providing data for tracking the finishing job (col. 5, lines 5-14).

Referring to claim 24, Allen et al. disclose the method of claim 23, wherein the step of tracking comprises using a sheet counting feature of at least one finishing device to count sheets (col. 6, lines 28-36).

Referring to claim 25, Allen et al. disclose the method of claim 23, wherein at least one job segment is identifiable by a job segment identifier and wherein the step of tracking comprises tracking the job segment by tracking its job segment identifier as such job segment identifier moves through the finishing job (col. 6, lines 28-36).

Referring to claim 26, Allen et al. disclose the method of claim 23, wherein the step of tracking further comprises monitoring the condition of at least one finishing device used in performance of the job (col. 6, lines 28-36).

Referring to claim 27, Allen et al. disclose the method of claim 26, further comprising, in response to a tracked condition of at least one finishing machine, issuing commands to adjust performance conditions of at least one finishing device (col. 5-6, lines 61-67, 1-6).

Referring to claim 28, Allen et al. disclose the method of claim 23, further comprising, in response to a pause in performance of at least one finishing device, issuing commands to pause at least one other finishing device (col. 5, lines 51-60).

Referring to claim 29, Allen et al. disclose the method of claim 28, wherein the pause in performance is caused by the jamming of workpieces within the finishing device (col. 5-6, lines 61-67, 1-3).

Referring to claim 30, Allen et al. disclose the method of claim 28, further comprising issuing restart commands after the cause of the pause has been cured (col. 6, lines 28-48).

Referring to claim 31, Allen et al. disclose the method of claim 23, further comprising sending tracking data for a completed job to a central database of the finishing system (col. 5, lines 5-14).

Referring to claim 32, Allen et al. disclose The method of claim 1 wherein the step of receiving comprises receiving information descriptive of a document finishing job (computer-readable instruction sheet 30, col. 3, lines 18-21).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 16-18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allen et al. U.S. Patent 6,549,299 as applied to claims 12,13, 19, and 23 above, and further in view of Newell, Jr. et al. U.S. Patent 6,249,666.

Referring to claim 16, Allen et al. disclose determining that a device is not currently available (col. 5, lines 51-60) but do not disclose expressly selecting a different thread for the job. Newell, Jr. et al. disclose amending the job model to select a different thread for finishing of the job (212 of Fig. 5, col. 8, lines 64-65). Allen et al. and Newell, Jr. et al. are combinable because they are in the same field of finishing systems. At the time of the invention, it would have been obvious to a person of

ordinary skill in the art to allow the finishing system of Allen et al. to select different among different finishing systems when a device is unavailable. The motivation for doing so would have been to eliminate the wait time while a device is unavailable. Therefore, it would have been obvious to combine Newell, Jr. et al. with Allen et al. to obtain the invention as specified in claim 16.

Referring to claim 17, Newell, Jr. et al. disclose the method of claim 16, further comprising creating different job segments in order to conform to the amended job model (212 of Fig. 5, col. 8, lines 64-65).

Referring to claim 18, Newell, Jr. et al. disclose the method of claim 12, wherein the step of receiving information identifying at least one finishing device further comprises identifying finishing devices to be used during a portion of the finishing job wherein devices remain unidentified for at least one finishing operation to occur after performance by the identified devices (col. 9, lines 52-54).

Referring to claim 20, Newell, Jr. et al. disclose the method of claim 19, further comprising programming at least one finishing device in adaptation to the capability and constraint attributes of a second finishing device (212 of Fig. 5, col. 8, lines 64-65).

7. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Allen et al. U.S. Patent 6,549,299 as applied to claim 1 above, and further in view of applicant's prior art.

Allen et al. disclose the system of claim 1 but do not disclose expressly using the Modular Feeding and Finishing Architecture. Page 43, lines 16-22 of the applicant's

specification disclose the Modular Feeding and Finishing Architecture. The Modular Feeding and Finishing Architecture and Allen et al. are combinable because they both relate to finishing systems. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to utilize the Modular Feeding and Finishing Architecture with the finishing system of Allen et al. The motivation for doing so would have been to determine the available of connected devices. Therefore, it would have been obvious to combine the Modular Feeding and Finishing Protocol with Allen et al. to obtain the invention as specified in claim 21.

8. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Allen et al. U.S. Patent 6,549,299 and Newell, Jr. et al. U.S. Patent 6,249,666.

Newell, Jr. et al. disclose in a finishing system having at least one database for storing information concerning the capability and constraint attributes of devices within the system and for storing job segment description information and for storing a job model that includes a description of the components of a job together with the order in which the components are to be assembled (memory 114 of Fig. 1, col. 3, lines 59-66), a method for a finishing module coordinator, comprising: retrieving job segment and job model information from at least one database (col. 7, lines 18-30); and determining the status of devices to be used for processing the job (col. 7, lines 18-26). Newell, Jr. et al. do not disclose determining the status of the job segments or monitoring the performance of the devices. Allen et al. disclose determining the status of job segments (col. 5, lines 5-14); and monitoring performance of the job as the devices operate (col.

5, lines 5-14). Allen et al. and Newell, Jr. et al. are combinable because they are in the same field of finishing systems. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to allow the finishing system of Newell, Jr. et al. to email status information when a job is completed or in error. The motivation for doing so would have been to inform the user as to the status of their document. Therefore, it would have been obvious to combine Allen et al. with Newell, Jr. et al. to obtain the invention as specified in claim 33.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (703)306-4088. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (703)308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PKH